

SB 5859-S - DIGEST

(SUBSTITUTED FOR - SEE 2ND SUB)

Designates a license as a spirits, beer, and wine nightlife license, which allows the holder to sell spirituous liquor by the drink, beer, and wine at retail, for consumption upon the licensed premises.

Provides that the license may be issued only to persons whose business includes the sale and service of alcohol to its customers, has food sales and service incidental to the sale and service of alcohol, and has the following characteristics: (1) The primary business hours are between nine o'clock in the evening and two o'clock in the morning; and

(2) The occupancy load of the business premises is greater than the seating provided.

Requires that a licensee must maintain minimum food service as determined by the board at all times when alcohol is available.

Allows minors on the licensed premises but only in the areas where no alcohol is served.

Sets the annual fee for the license as two thousand dollars, which may be reviewed periodically by the board and adjusted to reflect a change in the amount of resources necessary to regulate and enforce this license type.

Directs the board to refuse a spirits, beer, and wine nightlife license to any applicant if the board determines that the spirits, beer, and wine nightlife licenses already granted for the particular locality are adequate for the reasonable needs of the community.

Requires the liquor control board to establish a pilot project that concentrates liquor education and enforcement efforts, in cooperation with local law enforcement, on spirits, beer, and wine restaurant licensees located in an area of the state with a high density of this license type. The purpose of this project is to assess enforcement and education strategies to identify the factors leading to liquor and public safety violations, test approaches to better assist licensees in mitigating the public safety risk factors, and gain a better understanding of unique issues facing these licensees. By July 1, 2008, the board shall evaluate the results of this pilot project effort, report the results to the appropriate legislative committees, and implement successful strategies.